

10/23/01  
JC971 U.S. PTO

01107/02  
CERTIFICATE OF MAILING BY "EXPRESS MAIL"

I hereby certify that this correspondence is being deposited with the US Postal Services "Express Mail Post Office to Addressee" service under 37 CFR 1.10, Express Mail Label No. EL585278958US and addressed to the Commissioner for Patents, Box Patent Application, Washington, D.C. 20231 on the date shown below:

Date: October 23, 2001

By: Carol A. See

Carol A. See

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PATENT TRADEMARK OFFICE

A  
JC979 U.S. PTO  
10/037677  
10/23/01

PATENT  
Docket No. GC560-D1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

UTILITY PATENT  
APPLICATION TRANSMITTAL

Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

Dear Sir:

Enclosed for filing is the utility patent application

- ☐ Continuation  
☒ Divisional  
☐ Continuation-in-Part

of prior application No. 09/314,847 filed May 19, 1999

Inventors: Volker Schellenberger, Amy D. Liu, and Olga V. Selifonova

Title:

DIRECTED EVOLUTION OF MICROORGANISMS

Also enclosed are:

1. ☒ Fee Transmittal Form submitted in duplicate
2. ☒ Specification Total Pages: 35
  - Descriptive title of the Invention
  - Cross References to Related Applications
  - Statement Regarding Federal Sponsored R&D
  - Reference to Microfiche Appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claims
  - Abstract of the Disclosure
3. ☒ Drawing(s) (35 USC 113) Total Sheets: 6
4. ☒ Oath or Declaration Total Pages: 3
  - a. ☐ Newly executed (original or copy)
  - b. ☒ Copy from a prior application (37 CFR 1.63(d))

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5. ☒ Incorporation By Reference (useable if Box 4b is checked)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4B, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

6. ☐ Microfiche Computer Program (Appendix)

7. ☒ Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)

- a. ☐ Computer Readable Copy (diskette)  
b. ☐ Paper Copy  
c. ☐ Statement verifying identity of above copies  
d. ☒ Request for Use of an Identical Computer Readable Form in Another Application Under 37 CFR § 1.821(e).

Accompanying Application Parts:

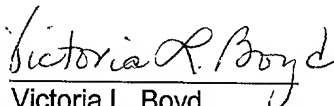
8. ☐ Assignment Papers (cover sheet and documents)  
9. ☐ 37 CFR 3.73( b) Statement (when there is an Assignee)  
10. ☐ English Translation Document  
11. ☒ Information Disclosure Statement (IDS/PTO-1449)  
12. ☐ Preliminary Amendment.  
13. ☒ Amend the specification by inserting before the first line the sentence:  
--This is a ☐ continuation ☒ divisional ☐ continuation-in-part of application  
Serial No. 09/314,847, filed May 19, 1999--.  
14. ☒ Cancel in this application original claims 1-3, 11-24, and 28-48 of the prior application before calculating the filing fee.

The filing fee has been calculated as shown below:

	No. of Claims	Extra Claims	Rate	Fee
Basic Application Fee				\$710
Total Claims	2	MINUS 20 = 0	X \$ 18	-0-
Independent Claims	10	MINUS 3 = 0	X \$ 80	-0-
If Multiple Dependent Claims are presented, add \$270				-0-
Add Recording Fee of \$40.00 if Assignment document enclosed				-0-
<b>Total Application Fee Due</b>				<b>\$710.00</b>

- ☒ Please charge \$710.00 to Deposit Account No. 07-1048 (Docket No. GC560-D1 ). This paper is submitted in duplicate.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication, or credit any overpayment, to Deposit Account No. 07-1048 (Docket No. GC560-D1 ). This paper is submitted in duplicate.
- ☒ Any additional fees required under 37 CFR 1.16.
- ☒ Any patent application processing fees under 37 CFR 1.17.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application, or credit any overpayment, to Deposit Account No. 07-1048 (GC560-D1). This paper is submitted in duplicate.
- ☒ Any patent application processing fees under 37 CFR 1.17.
- ☒ Any filing fees under 37 CFR 1.16 for presentation of extra claims.

Respectfully submitted,

  
Victoria L. Boyd  
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Date: October 23, 2001

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Date: October 23, 2001

By: *Carol A. See*  
Carol A. See

**PATENT**  
**Docket No. GC560-D1**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of )  
 )  
Schellenberger et al. ) Group Art Unit: Unassigned  
 )  
Serial No.: Unassigned ) Examiner: Unassigned  
 )  
Filed: Filed Herewith )  
 )  
For: Directed Evolution of Microorganisms )

**REQUEST FOR USE OF AN IDENTICAL COMPUTER READABLE FORM IN**  
**ANOTHER APPLICATION UNDER 37 C.F.R. § 1.821(e)**

Box Patent Application  
Commissioner for Patents  
Washington, D.C. 20231

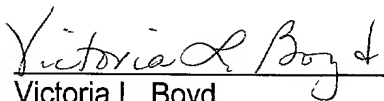
Sir:

The computer readable form of the Sequence Listing for the present patent application, Serial No. unassigned, is identical with that filed in patent application Serial No. 09/314,847, filed May 19, 1999. In accordance with 37 C.F.R. § 1.821(e), Applicants therefore request use of the computer readable form filed in the previously filed patent application as the computer readable form in the present application. It is understood that the Patent and Trademark Office will make the necessary change in the application serial number and filing date for the computer readable form that will be used for the present patent application. A paper copy of

the Sequence Listing was originally filed in the present patent application and is identical to the computer readable form.

Respectfully submitted,

Date: Oct 23, 2001

  
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